

6. Attached as Exhibit 5 hereto is a true and correct copy of a September 20, 2005 letter that Biovail sent to Andrx.

7. Attached as Exhibit 6 hereto is a true and correct copy of a September 27, 2005 letter (without attachments) that Biovail sent to Andrx).

8. Attached as Exhibit 7 hereto is a true and correct copy of an October 4, 2005 letter that Andrx sent to Biovail.

9. Attached as Exhibit 8 hereto is a true and correct copy of an October 7, 2005 letter (without attachment) that Biovail sent to Andrx.

10. Attached as Exhibit 9 hereto is a true and correct copy of a November 29, 2005 letter that Biovail sent to Andrx.

11. Attached as Exhibit 10 hereto is a true and correct copy of a December 6, 2005 letter that Andrx sent to Biovail.

12. Attached as Exhibit 11 hereto is a true and correct copy of a December 7, 2005 letter (without attachment) that Biovail sent to Andrx.

13. Attached as Exhibit 12 hereto is a true and correct copy of a November 10, 2005 letter (without attachment) that Biovail sent to Andrx.

14. Attached as Exhibit 13 hereto is a true and correct copy of a December 16, 2005 letter that Biovail sent to Andrx.

15. Attached as Exhibit 14 hereto is a true and correct copy of a December 28, 2005 letter that Biovail sent to Andrx.

16. Attached as Exhibit 15 hereto is a true and correct copy of a December 29, 2005 letter that Andrx sent to Biovail.

17. Attached as Exhibit 16 hereto is a true and correct copy of pages from Andrx's website.

18. Attached as Exhibit 17 hereto is a true and correct copy of a January 6, 2006 letter that Biovail sent to Andrx.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 1/6/06


Preston K. Ratliff II

CERTIFICATE OF SERVICE

I, Melissa Stone Myers, hereby certify that on January 6, 2006, I caused to be electronically filed DECLARATION OF PRESTON K. RATLIFF II IN SUPPORT OF BIOVAIL'S ANSWERING BRIEF IN OPPOSITION TO ANDRX'S MOTION TO CONSOLIDATE CIVIL ACTION NOS. 05-586 AND 05-730 with the Clerk of the Court using CM/ECF, which will send notification of such filing(s) to the following:

William J. Cattie, III
Rawle & Henderson, LLP

and that I caused copies to be served upon the following in the manner indicated:

BY HAND

William J. Cattie, III
Julie M. Sebring
Rawle & Henderson, LLP
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P.O. Box 588
Wilmington, DE 19899

/s/ Melissa Stone Myers (#3985)
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